

TITLE 327 WATER POLLUTION CONTROL BOARD

IDEM'S SUGGESTED CHANGES TO PROPOSED RULE AS

PRELIMINARILY ADOPTED

LSA Document #99-111 (WPCB)

Amends 327 IAC 5-2-11.7 concerning Great Lakes system dischargers interim antidegradation implementation procedures for outstanding state resource waters. Effective 30 days after filing with the secretary of state.

Page 1 327 IAC
5-2-11.7(a)(1)

Delete "**Except as provided in subsection (b), (c), or (d),** for a new or increased discharge of a pollutant or pollutant parameter **from an existing Great Lakes discharger directly** into an ~~outstanding state resource water~~ **OSRW for which a new or increased permit limit would be required,** the wasteload allocation (WLA) for the pollutant or pollutant parameter ~~for the~~ **shall be based on the** new or increased discharge **and** shall be set equal to the representative background level of the pollutant as determined under section 11.4(a)(8) of this rule. The WLA for the existing discharge and the WLA for the new or increased discharge shall be added

together to obtain the WLA
that shall be used to
establish ~~the~~ WQBELs. ~~in~~
~~accordance with section~~
~~11.6 of this rule.~~ **For the**
purpose of this
subdivision, "WLA"
means the value used to
calculate monthly
average and daily
maximum NPDES permit
limitations using the
formula in section 11.6(c)
of this rule." after "(1)"

Insert: **"This subdivision**
applies to an existing
Great Lakes discharger
discharging under a valid
NPDES permit directly
into a waterbody
designated as an OSRW.

(A)
This
clause
applies
to
a
proposed
new
discharge
of
a
new
pollutant
or
pollutant
parameter.

(i)
As
used
in
this
clause,

**"new"
means
that
one
or
more
new
discharges
and
one
or
more
new
pollutants
or
pollutant
parameters
will
be
discharged
by
an
activity
not
previously
covered
by
the
NPDES
permit
issued
to
an
existing
facility.
This
clause
does
not
apply
when
there
is
a
need
for
a**

**new
NPDES
permit
limit
for
a
pollutant
or
pollutant
parameter
that
is
present
in
an
existing
permitted
discharge
but
was
not
limited
in
the
NPDES
permit.**

**(ii)
Except
as
provided
in
subsection
(b),
(c)
or
(d),
NPDES
permit
limits
for
the
proposed
new
discharge
of
a**

**pollutant
or
pollutant
parameter
will
be
established
as
follows:**

**(AA)
The
representative
background
concentration
of
the
pollutant
or
pollutant
parameter
in
the
receiving
stream
will
be
determined
by
using
the
formula
provided
in
section
11.4(a)(8)
of
this
rule.**

**(BB)
The
permit
limit
for
the
new**

**pollutant
or
pollutant
parameter
will
be
based
on
the
representative
background
concentration
in
the
receiving
stream.**

**(B)
This
clause
applies
to
a
proposed
increase
in
the
discharge
of
a
pollutant
or
pollutant
parameter
above
the
water
quality-based
effluent
limit
for
that
pollutant
or
pollutant
parameter
in**

**an
existing
NPDES
permit.**

**(i)
As
used
in
this
clause,
"increase"
means
there
will
be
an
actual
or
calculated
increase
in
the
monthly
average
mass-based
limitation
for
the
particular
pollutant
or
pollutant
parameter
discharged
from
an
existing
facility.**

**(ii)
Except
as
provided
in
subsection
(b),**

(c)
or
(d),
NPDES
permit
limits
for
the
proposed
increase
in
the
discharge
of
a
pollutant
or
pollutant
parameter
will
be
established
as
follows:

(AA)
The
representative
background
concentration
of
the
pollutant
or
pollutant
parameter
in
the
receiving
stream
will
be
determined
by
using
the
formula

**provided
in
section
11.4(a)(8)
of
this
rule.**

**(BB)
Determine
the
wasteload
allocation
(WLA)
concentration
value
that
was
used
for
calculate
the
limitation
for
the
pollutant
or
pollutant
parameter
in
the
existing
NPDES
permit.**

**(CC)
Add
the
concentration
values
determined
in
(AA)
and
(BB)
to
establish**

**a
new
WLA
value.**

**(DD)
Use
this
new
WLA
value
to
calculate
water
quality-based
effluent
limitations
in
accordance
with
the
formula
in
section
11.6(c)
of
this
rule.
To
determine
the
effluent
flow
value
used
in
this
formula,
add
the
existing
flow
and
the
proposed
increase
in**

flow.

**(C)
This
clause
applies
to
a
proposed
increase
in
the
discharge
of
a
pollutant
or
pollutant
parameter
above
the
federal
effluent
guideline-based
limitation
for
that
pollutant
or
pollutant
parameter
in
an
existing
NPDES
permit.**

**(i)
As
used
in
this
clause,
"increase"
means
there**

**will
be
an
actual
or
calculated
increase
in
the
monthly
average
mass-based
limitation
for
the
particular
pollutant
or
pollutant
parameter
discharged
from
an
existing
facility.**

**(ii)
Except
as
provided
in
subsection
(b),
(c)
or
(d),
NPDES
permit
limits
for
the
proposed
increase
in
the
discharge
of**

**a
pollutant
or
pollutant
parameter
will
be
established
as
follows:**

**(AA)
The
representative
background
concentration
of
the
pollutant
or
pollutant
parameter
in
the
receiving
stream
will
be
determined
by
using
the
formula
provided
in
section
11.4(a)(8)
of
this
rule.**

**(BB)
Determine
the
concentration
value
that**

was
used
to
calculate
the
federal
effluent
guideline-based
limitation
for
the
pollutant
or
pollutant
parameter
in
the
existing
NPDES
permit.

(CC)
Add
the
concentration
values
determined
in
(AA)
and
(BB)
to
establish
a
new
federal
effluent
guideline-based
limitation
for
the
pollutant
or
pollutant
parameter."after
"(1)".

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